

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRUSTEES of the CHICAGO REGIONAL
COUNCIL OF CARPENTERS PENSION
FUND, et al.

Plaintiffs,

v.

R & W CLARK CONSTRUCTION, INC.,
a dissolved corporation and RICK CLARK,
individually and d/b/a
R & W CLARK CONSTRUCTION, INC.

Defendant.

Case No. 08 C 1311

Judge Hart

MOTION FOR REINSTATEMENT AND FOR JUDGMENT

Plaintiffs, by its attorney, Daniel P. McAnally, move this Honorable Court to reinstate this case and enter judgment and in support state:

1. This is an ERISA trust fund case for delinquent contributions.
2. On May 28, 2008 this case was dismissed with leave to reinstate pursuant to the settlement of the parties. **Exhibit A**
3. On May 28, 2008, the Plaintiffs and Defendant entered into a settlement agreement, whereby the Defendant was to pay \$14,093.90 in partial payments, **Exhibit A**, ¶2. If the Defendant defaulted on the payments, the Plaintiffs retained the right to reinstate this case and enter judgment for the balance owed on the payment arrangement, ¶2.
4. The Defendant failed to make any payments pursuant to the parties' agreement.

5. As a result of the breach, the Defendant owes to the Plaintiffs the sum of \$14,093.90.

WHEREFORE, Plaintiffs pray that this case be reinstated and that judgment be entered against the Defendant in the amount of \$14,093.90.

Respectively submitted,

s/ DANIEL P. McANALLY
Attorney for Plaintiffs

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